

STATE OF COLORADO
COUNTY OF BOULDER

Walk-Through Authorized
DA _____

DISTRICT

COURT, BOULDER COUNTY, COLORADO

Criminal Action Number _____

WARRANT FOR ARREST UPON AFFIDAVIT

BEFORE THE HONORABLE MAULLARD

The People of the State of Colorado,
To: Any person authorized by law to execute arrest warrants.

You are hereby commanded to arrest the person of: Dennan R. Weigle

DOB:	01/21/70	HAIR:	Brown
HEIGHT:	5'10"	EYES:	Brown
WEIGHT:	150	RACE/SEX:	White Male
DL # / STATE:	[REDACTED]	SSN:	[REDACTED]
ALIAS/ALIAS DOB:	[REDACTED]	OFFENSE DATE:	[REDACTED]
OTHER DESCRIPTORS:			

And take the person above-named without unnecessary delay before the nearest judge of the Court of Record; to be advised that the person is being held for the alleged commission of the following crime(s), to-wit: In violation of C.R.S., 1973 revised:

Charge #	CRS #	Charge	Classification
1	18-4-102(D)	First Degree Arson	F-3
2-4	18-3-102(S)	Criminal Attempt to Commit First Degree Murder (Three Counts)	F-2

That this warrant for arrest is issued upon affidavit sworn to and affirmed before this court and relating facts sufficient to establish probable cause that the above-named offense has been committed and probable cause that the person named in this warrant committed that offense.

BAIL IS SET AT \$ 500,000.00 cash WITH CONDITIONS: NO CONTACT VICTIMS WITNESSES, THE
507 BLICK OF BOWEN, LAWRENCE, CO. NO
ALCOHOL OR ILLEGAL DRUGS
 DATE: 1-23-12
 Judge's Signature: D. Maullard

Longmont Police Case # 2012-0298
Longmont Police Department
Detective Wayne Rafferty

RETURN OF SERVICE

I hereby certify that I have duly executed this warrant on this _____ day of _____, 20____.

by _____ as I am herein commanded.

SHERIFF FEES:

Service \$ _____
 Mileage \$ _____
 Return \$ _____
 Total \$ _____

By: _____
Deputy

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Your affiant, **Detective Wayne Rafferty**, a duly sworn, commissioned officer for the City of Longmont, County of Boulder, State of Colorado, deposes and says:

Your affiant has a combined seventeen years of experience in the field of law enforcement. Your affiant became a certified police officer and was employed as a State Trooper for the Colorado State Patrol in 1994 through January 1998. Your affiant became employed as a police officer for the City of Longmont in January 1998 and is currently assigned with the Property Crimes Unit of the Longmont Police Department's (LPD) Detective Services Division since November 2008. Officers and Detectives identified in this affidavit are duly sworn commissioned officers for the City of Longmont, County of Boulder and State of Colorado unless otherwise indicated.

Your affiant has reason to believe **Demian R. Weigle** DOB: 04/21/70, a white male 5'10, 180 lbs, brown hair, brown eyes, did commit the crime(s) of **First Degree Arson (F-3)** and three counts of **Criminal Attempt to Commit First Degree Murder (F-2)**, as contrary to C.R.S. 1973, Section 18-4-102(2), 18-3-102(3) as amended. The reasons for your affiant to believe this to be true are as follows:

On Monday, 07/16/12, at approximately 6:23 AM, your affiant was notified the Longmont Police Department and the Longmont Fire Department were investigating a fire that occurred at 534 Bowen Street, located in the City of Longmont, County of Boulder and State of Colorado. Your affiant personally spoke with Detective Sergeant Post who was on scene and collected the following information:

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On Monday, 07/16/12, at 5:32 AM the Longmont Fire Department responded 534 Bowen Street regarding a house on fire. Upon arrival, fire personnel observed the front door to the residence and the southeast door to the rear of the residence were on fire. A family inside the residence, [REDACTED] and [REDACTED], had to flee the residence through a side window to escape the fire.

The Longmont Fire Department was able to extinguish the fire. The fire caused extreme damage to the front door and southeast door in addition to the exterior of the residence to include the overhang/roof above the southeast door, a wooden fence near the southeast door and to the front porch overhang/roof. The front door and southeast door were on opposite sides of each other which indicated two separate fires were started. Longmont Fire Fighter and Fire Investigator Lt. David Marshall smelled a strong odor of gasoline in the area of the burnt front door and in the area of the burnt southeast door, which is indicative of arson.

Outside the residence on the ground near the burnt southeast door, fire personnel located a partially burnt/melted five gallon plastic gas container. The information on the bottom of the gas container that was not burned showed a manufacture date of 04/09/12, which indicated the canister was recently manufactured and probable it was purchased sometime after that date.

On 07/16/12 at approximately 9:00 AM, your affiant obtained a search warrant to search the premises, 534 Bowen Street, which was granted by the Honorable Judge Quevli. Your affiant notified Sergeant Post at approximately 9:05 the search warrant was obtained.

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Your affiant arrived at 534 Bowen Street at 9:40 AM and was advised Fire Investigator and K-9 Handler Jerry Means (FI-Means) from the Colorado Bureau of Investigations (CBI) conducted an initial walkthrough of 534 Bowen Street with his K-9, "Sadie". (K-9 Sadie is trained and certified by the Maine State Police to alert on petroleum based hydrocarbons. K-9 Sadie has experience in searching over 500 fire scenes) K-9 Sadie alerted on two areas at the front door and in the area of the Southeast door. The alerts by K-9 Sadie in the area of the front and southeast door combined with that being the intensity of the fire and the odor of gasoline smelled by Lt. Marshall was indicative of arson.

Officer Raschdorf was one of the first police officers to arrive on scene of the fire shortly after the 911 call was made at 5:32 AM. Your affiant personally read Officer Raschdorf's report and learned the following:

Upon Officer Raschdorf's arrival he began evacuating residents to the north and south of the fire. During this time a female identified as [REDACTED] ran up to him and was visibly upset. She told Officer Raschdorf [REDACTED] Damian Weigle DOB: 04/21/70, may have had something to do with the fire. [REDACTED] Damian live at 536 Bowen Street, with [REDACTED] which is directly next to 534 Bowen Street to the north. [REDACTED] explained Damian started using a drug he purchased off of the Internet called "Black Ice", about four months ago that she thought were Bath Salts. [REDACTED] said she could see a noticeable change in Damian's behavior in the past four months to a more paranoid type behavior. Damian began thinking that his phone(s) and computer(s) were being hacked into and he was being traced or tracked through them. [REDACTED] Damian progressively got worse and began putting "2 and 2" together, approximately two months ago, thinking that his neighbor, living at 534 Bowen Street, [REDACTED] was the only one in the neighborhood

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with the experience and intelligence enough to be "hacking" his electronic items. [REDACTED]

[REDACTED]

On or about 7/6/12 [REDACTED] Demian were at home when he admitted he had used the drug [REDACTED] asked him to get the rest of whatever he had, so they could destroy it. Demian went out to his vehicle and pulled a small red container out from the upholstery and padding on the ceiling of the passenger compartment of his vehicle. [REDACTED] said they brought the container in the house and opened it up at the kitchen sink. [REDACTED] described the substance inside as a "white crystalline-type substance that was moist". [REDACTED] and Demian washed the white crystalline substance down the kitchen sink drain. Demian told [REDACTED] he would ingest the drug by mixing it with water or juice and then drink it. Demian said he bought the "Black Ice" over the Internet, but when asked about any receipts for the item she said there were none. [REDACTED] again discovered, on Saturday (7/14/12), Demian had been untruthful with her about his use of the drug. [REDACTED] said Demian told her he had used it again approximately five days prior to 7/14/12, so [REDACTED] and [REDACTED]

[REDACTED]
[REDACTED] On 7/14/12 after Demian [REDACTED]

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he left in his vehicle, [REDACTED] described as being a dark brown (listed as Black in DMV) 1996 Acura 4D sedan with Colorado plates 186TLE. Katherine advised she had not seen Damian since.

According to [REDACTED] after Damian left he later called [REDACTED], and told her he was in Green River, Wyoming near the Wyoming/Idaho border. Damian told [REDACTED] he was being followed and [REDACTED] write a license plate down from the vehicle that was following him. [REDACTED] Damian told her John (534 Bowen Street) was "behind it all".

Officer Raschdorf personally spoke to [REDACTED] about the incident and she told him following:

[REDACTED] saw Damian she described him as being, "gaunt, hollow-eyed, not acting normally, thinking all his electronics were out to get him, and were tracking him". [REDACTED] Damian told her, "I think it's the neighbor [REDACTED]". Damian had gone so far as to have computer experts come over to the house to see if his computer or phones had been "tracked". Damian also [REDACTED] he, "would kill or shoot anyone who was bugging or tracking him" and had hired a private investigator to help him find out who was "tracking" him. [REDACTED] Damian called her at about 11:00 PM, on 7/14/12, (later confirmed to be 07/15/12) and gave her the vehicle tag number of the vehicle that was "following" him which was 792WVM. Damian hung up the phone with [REDACTED] and immediately called [REDACTED] and told her he had been in an altercation in a parking lot with one of the male subjects that was following him. Damian told [REDACTED] he was hiring a private investigator and said he was possibly going to California. Damian immediately recanted to [REDACTED] and said he was not actually sure where he was going to go next.

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On 07/16/12 at approximately 12:00 PM your affiant personally spoke with [REDACTED]. [REDACTED] confirmed the above information and added their neighbor [REDACTED] had assisted Demian with setting up his computer several months ago at their residence and that was why Demian believed John had the ability to hack into his phones and computer. [REDACTED] also stated while [REDACTED] was out of town, about three weeks ago, Demian had dinner with [REDACTED] and [REDACTED] at their house, 534 Bowen Street. [REDACTED] told your affiant [REDACTED] very concerned about Demian's recent behavior and was uncertain where or how he was. [REDACTED] told your affiant she was willing to assist in the investigation but at the same time she was concerned what may happen to Demian if he was in-fact responsible for the fire. [REDACTED] provided the phone number Demian used to call [REDACTED] 303-[REDACTED]

Detective Deaton ran the phone number of 303-[REDACTED] through the [REDACTED] database and found it was listed to a [REDACTED] Lay Street in Longmont, CO. The phone number was operated by Verizon Wireless. Detective Deaton called Verizon Wireless and learned there had been no activity on the phone since the night before, 07/15/12, around 10:00 PM until around 1:51 PM on Monday, 7/16/12. This suggested the phone was turned off during that time. The Verizon representative stated the latitude and longitude of 41.30215 and -105.53981 was the tower this cellular phone was hitting off of in a phone call placed at 2:36 PM. Detective Deaton searched these coordinates in Google maps and found the tower was located off of Interstate 80 in Laramie, WY. The tower is near a Wal-Mart, Hampton Inn and a AmeriInn Hotel.

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On 07/16/12, Detective Deaton researched the license plate number on the Cadillac that Damian said was following him. The license plate was initially provided to Detective Deaton by Damian's mother, Jane. The plate, 792WVM, listed to a silver 2011 Cadillac owned by Hertz Vehicles LLC out of Denver Colorado. Detective Deaton contacted Hertz rental security and was advised that vehicle was reported to have been broken into, a Hertz Neverlost GPS device was stolen and the both passenger side tires had been slashed. The report was taken on 07/16/12 at 07:00 AM by the Green River Police Department reference case number 12-1153.

Detective Deaton received a phone call from [REDACTED] and learned Damian had contacted [REDACTED] Longmont and is a [REDACTED]. Detective Deaton contacted [REDACTED] over the phone and learned the following:

[REDACTED] has also been [REDACTED]
[REDACTED]
[REDACTED] On 07/16/12 at approximately 2:00 PM, [REDACTED] received a phone call from Damian who stated he was currently in Laramie, Wyoming. Damian told [REDACTED] he broke out the window of a Cadillac and took the GPS unit. Damian provided [REDACTED] the license plate of the vehicle that was following him, 792WVM. (This was the same plate [REDACTED] reported earlier) Damian sent [REDACTED] photographs of the GPS unit he took from the vehicle, through MMS messaging. [REDACTED] described the photos of the GPS unit he received from Damian as being a Hertz rental car navigation unit. The photographs contained a Hertz Never Lost GPS unit with a serial number of CSMSNL1006C163112. Damian explained to [REDACTED] his neighbor, [REDACTED], lived next door to him and had a background in computers; therefore he believed [REDACTED] hacked into his phone, blue tooth and

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computer. [REDACTED] stated Damian knew [REDACTED]. During the phone conversation on 07/16/12, Damian told [REDACTED] the police were looking for him and he was going to be arrested for arson and 3 counts of attempted murder. Damian told [REDACTED] supposedly gasoline was poured all over the front and back door of the neighbor's home. [REDACTED] didn't know if these details had been released or not in the press or to anyone else. Damian also advised he was currently heading back home to see his wife.

On 07/16/12, at approximately 5:30 PM Damian was contacted in front of his residence, 536 Bowen Street, by patrol officers of the Longmont Police Department who were conducting surveillance at his home. During the contact, Damian's Samsung Cell phone and Damian's black bi-fold wallet were collected and later logged into property and evidence at the Longmont Police Station. The wallet contained \$233.00 in cash. (The wallet was placed into a tin can used for storing evidence that may contain an ignitable residue) During the contact with police outside his residence, Damian's [REDACTED] arrived and voluntarily drove Damian to the Longmont Police Station for an interview.

On 07/16/12 at approximately 6:00 PM, your affiant met with Damian [REDACTED] [REDACTED] interview room at the Longmont Police Station.

During the interview Damian denied starting the fire at 534 Bowen Street on 07/16/12 and claimed he could not have started it because he was in Wyoming. Damian admitted he believed [REDACTED] his neighbor, may have hacked into his computer and phones, and he believed [REDACTED] may have had someone following him, but said there was no way he would burn [REDACTED]'s house down.

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Demian [REDACTED]
[REDACTED]
[REDACTED]

During the interview with Demian, his vehicle, the 1996 Acura bearing plate 186TLE was seized from the 500 block of Bowen Street and impounded and secured at the Longmont Police Department on 07/16/12 at 5:30 PM.

Using Google maps your affiant obtained an estimated time line regarding how long it would take to drive between Longmont Colorado to Laramie Wyoming, Rawlins Wyoming and Green River Wyoming using HWY 80 to HWY 287 to Longmont. You affiant noted the following:

- Estimated drive time is 5 hours and 23 minutes from Green River Wyoming to Longmont Colorado (317 miles)
- Estimated Drive time is 5 hours 10 minutes to travel from Rock Springs Wyoming to Longmont Colorado (301 Miles)
- Estimated drive time is 1 hour and 58 minutes to travel from Longmont to Laramie Wyoming (95 Miles)

(The above estimated drive times are based on traveling the speed limit)

Your affiant has personal experience using Google Map Direction application and the estimated times seem to be pretty close.

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Based on the above estimated times and with respect to Damian's statements, your affiant determined it was possible for Damian to drive from Green River Wyoming leaving as late as 11:30 PM on 07/15/12 and could arrive in Longmont prior to the 911 call, 5:32 AM on 07/16/12. It was also possible for Damian to leave Longmont Colorado prior to the 911 call and to arrive in Laramie Wyoming before 7:30 AM on 07/16/12.

On 07/17/12 at approximately 7:45 AM, your affiant contacted the AmeracInn and spoke with the concierge, [REDACTED]. [REDACTED] confirmed Damian Weigle had checked in at the hotel on Monday morning, 07/16/12, at 7:19 AM and used room 109. Damian checked out of the room that Monday afternoon at 2:14 PM. Your affiant requested Jeff to secure the room. Jeff advised there had been no other occupants in the room nor had the cleaning staff cleaned or entered the room. Jeff stated he would hold and secure the room until further notice.

On 07/17/12, at approximately 2:00 PM Detective Dixon of the Longmont Police Department responded to the AmeracInn, 4712 East Grand Avenue, in Laramie Wyoming along with Fire Investigator and K-9 Handler Mike Manzo (FI Manzo) and his K-9 Shadow. (K-9 Shadow is trained and certified to alert on ignitable liquid residue and has investigated close to 1,000 fires) Detective Dixon was assisted by Sergeant Brisidine from the Laramie Police Department. Detective Dixon gained written consent to search room 109 from [REDACTED] the concierge at the AmeracInn.

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At approximately 2:15 PM, FI Manzo, Sergeant Brisodine and Detective Dixon entered room 109. The room appeared to be slightly unkempt. Detective Dixon noticed the following regarding the condition of the room:

The bathroom had trash in the trash can. There was a wet hand towel on the bathroom floor near the shower. A towel that appeared to be used was hanging on a towel rack on the bathroom wall.

The main area of the room had a bed, night stands, a chair next to the bed, a TV cabinet and table on the opposite wall from the bed. The bed was unmade and the blanket had been pulled to the left side of the bed. The pillows were in disarray.

FI Manzo and Shadow started the search in the bathroom. Shadow alerted for the presence of ignitable liquid residue in the following areas in the bathroom:

- 1. [REDACTED]
- [REDACTED]
- [REDACTED]

Shadow alerted for the presence of ignitable liquid residue in the main area of the room at the following locations:

- [REDACTED]
- [REDACTED]
- [REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

Detective Dixon spoke to the desk clerk, [REDACTED] who checked Demian in and learned the following: On 07-16-12 at about 07:15 AM, Demian came into the hotel and asked to rent a room. [REDACTED] thought Demian was carrying a backpack but no other luggage. [REDACTED] immediately noticed that Demian had several cuts and scratches on both of his hands. He had several band aids covering some of the cuts. Demian told [REDACTED] that he cut his hand but didn't tell her how it happened. Demian made the statement to [REDACTED] that he had been awake for 30 hours and he just needed to get a few naps. [REDACTED] said Demian went to his room for a few hours and returned to the front desk and asked Seirra for the closest Walgreens location. [REDACTED] advised Demian that she wasn't aware of Walgreens locations but directed him to Wal-Mart which is across the parking lot from the hotel. Demian left the hotel for about one hour. When he returned he went back to his room. Demian checked out of the hotel at 2:51 PM.

Detective Dixon went to the Wal-Mart in Laramie and met with Asset Protection Associate Matt McDade, [REDACTED]. Matt was able to locate a record of Demian making a purchase at the store on 07-16-2012 at 8:29 AM. The receipt showed three T-shirts, a hair brush, nail polish, shaving cream and hair gel were purchased.

Detective Dixon responded to Rawlins Wyoming where he obtained registration documents from the Hampton Inn, 406 Airport Road that showed Demian checked in on 07/14/12 at 10:16 PM and checked out at 9:48 AM on 07/15/12.

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Detective Dixon responded to Green River Wyoming where he obtained registration documents from the Hampton Inn, 1055 Wild Horse Canyon Road, that showed Demian was a walk-in guest (no reservation) and checked into the hotel at 3:12 PM on 07/15/12 and never checked out. Demian was checked out by staff at 2:06 PM on 07/16/12 after housekeeping discovered Demian no longer occupied his room.

On 07/18/12 your affiant obtained a search warrant for Demian's vehicle, a 1996 Acura bearing plate 186TLE that was granted by the Honorable Judge Moore. The search warrant was executed on Wednesday, 07/18/12 at 11:15 AM. The vehicle was stored at the Longmont Police Department's impound lot [REDACTED]. The vehicle was secured with red tape. Prior to collecting any evidence your affiant took note that in the back seat behind the driver was clear. The floorboard behind the driver seat contained bicycle helmets and a black bag. On the back passenger seat was obstructed with a child safety seat. The front passenger seat had an Atlas Road Map, a Nook (barns and Noble computer) on the front passenger floorboard was a Hertz Nevecost GPS device with its cord. FI Means and his K-9 Sadie conducted a walkthrough of the vehicle. K-9 Sadie alerted to the following areas:

1. On the front driver side floorboard [REDACTED]

[REDACTED]

2. On the inside of the trunk [REDACTED]

3. On a brown bag containing jumper cables [REDACTED]

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The area where Sadie alerted to on the back seat was empty. There was a child seat fastened on the back seat passenger side. Your affiant took note to the area where Sadie alerted to on the back seat. That area had room for something to be placed there. In that same area your affiant felt the back portion of the back seat. Your affiant felt (using gloves) an oily substance that started from the crease of the seat to about 6 inches up the back portion of the seat and about 12 inches wide. It appeared something may have been placed on the seat that created that oily smooth feel.

On 07/19/12, FI Manzo along with his K-9 Shadow responded to the Longmont Police Department. Weigle's black wallet was retrieved from property and evidence. The wallet was stored in an unused tin can that is normally used to store materials that may contain ignitable liquid fluids. BCST Cavins provided two other empty cans that were of the same size and manufacturer that had not been used and were empty. The can containing the wallet was placed on the floor between the two other cans in a straight line approximately three feet apart with the lid off. Shadow did not alert on the first can. Shadow immediately alerted to an ignitable liquid residue inside the tin can containing the wallet. Shadow did not alert on the third can.

On 07/19/12 Detective Commander Jeff Satur contacted [REDACTED] at their residence and asked them if they had any other suspects. They said they were racking their brains and they could not think of anyone. Both are very concerned for their safety. Commander Satur also re-checked the back yard of 534 Bowen Street for any possible missed evidence. None was found.

Based on the amount of withdrawals that were made by Weigle, approximately \$52.00 in cash is unaccounted for.

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On 07/20/12, a forensic examination was completed on the Hertz Never Lost GPS device by Detective Bryan Franke who is a certified forensic computer examiner for the Longmont Police Department. No information with any evidential or exculpatory relevance to this case was contained on the device.

Through your affiant's research Damian R. Weigle DOB 04/21/70 was previously arrested for driving Under the Influence, Resisting a Peace Officer, Burglary and Domestic Battery.

Therefore, your affiant believes that sufficient probable cause has been shown to believe that, Damian R. Weigle DOB: 04/21/170, white male 5'10, 180 lbs., brown hair, brown eyes, did commit the crimes of First Degree Arson (F-3) and Three Counts of Criminal Attempt to Commit First Degree Murder (F-2), as contrary to C.R.S. 1973, Section 18-4-102(2), 18-3-102(3) as amended, and respectfully requests that the court issue a warrant for the arrest of Damian R. Weigle DOB: 04/21/70.


Affiant

SWORN OVER THE PHONE -
Domallard
7-23-12